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21W

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
INTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
80121-07311

First named inventor: Michael C. Stewart

Application No.: 10/602,490

Group Art Unit: 3731

Filed: June 23, 2002

Examiner: Vi X. Nguyen

Title: Apparatus and Method for Integrated Vessel Ligator and Transector

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition fee

- ☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Response to Specie Election Requirement (identify type of reply):
- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.
- B. The issue fee of \$ _____
- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995 no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

12/7/06
Date

A.C. Smith
Signature

Telephone

Number: (650) 335-7296

Albert C. Smith, Reg. No. 20,355

Fenwick & West LLP
801 California Street
Mountain View, CA 94040

- Enclosures:
- ☒ Fee Payment ✓
 - ☐ Reply
 - ☐ Terminal Disclaimer Form
 - ☐ Small Entity Status Form
 - ☒ Response to Specie Election Requirement ✓

CERTIFICATE OF MAILING [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

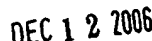
☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

12/7/06
Date

A.C. Smith
Signature

Albert C. Smith



Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$) 1,500.00
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Attorney Docket No.	80121-07311
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12/7/08